



BARRY GENE RHODES

16 COURT STREET
SUITE 1004
BROOKLYN, NEW YORK 11241
(718-624-3784)
(telefax: 718-797-2718)

Adjourned to
1-28-08 at
9:30 am

MEMO ENDORSED

Hon. Richard M. Berman
Judge
United States District Court
500 Pearl Street
New York, NY 10007

SO ORDERED:

Date: 12-6-07

Richard M. Berman
Richard M. Berman, U.S.D.J.

December 4, 2007

Re: United States v. Daniel Chugunov
06 CR 1017

Dear Judge Berman:

The defendant's case (regarding Supervised Release) is on Your Honor's calendar for December 12. He now has a pending case in the Criminal Court of the City of New York charging him with the misdemeanor of driving while intoxicated. There are no other underlying potential violations affecting his Supervised Release.

The state court case is scheduled for January 14, 2008, on which date it is scheduled for disposition or trial. I am attempting to negotiate a non-criminal resolution, including his acceptance of responsibility for the infraction of driving while impaired, which would include a Drunk Driver Program, fine, and suspension of his license. I do not know if this result can be achieved although it seems likely.

The resolution of the local case on a criminal or non-criminal ground may well affect Your Honor's view of just how to continue the defendant's supervision. Accordingly, the Court may wish to see the defendant in January or February when we know rather than on December 12 when we do not.

Respectfully yours,

Barry Gene Rhodes
BARRY GENE RHODES

BGR:ck
cc: Michael Garcia, Esq.
USPO Pamela Harris

